

S.B.CRIMINAL MISC. BAIL APPLICATION NO.1885/2007**(Ram Kumar & Ors. vs. State of Rajasthan)**

DATE OF ORDER : July 10, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.Pawan Ojha for Mr.N.A.Rajpurohit, for the petitioners.

Mr.Ashok Upadhyaya, Public Prosecutor for State.

Heard learned counsel for the petitioners as well as the Public Prosecutor for the State. Perused the order impugned.

It is contended by the learned counsel for the petitioners that husband of the complainant has been arrested and the dowry articles alleged to have been belonging to the complainant have been recovered. It is further contended by the learned counsel for the petitioners that the petitioners are mother-in-law, father-in-law, brother-in-law (Devar) and Devrani (wife of younger brother of complainant's husband), they have nothing to do with the dowry articles alleged to have been belonging to the complainant. The allegation against the petitioners are that they subjected the complainant cruelty.

Be that as it may, without commenting on the merit of the case, which may prejudice the case of either party at the trial, having considered the totality of facts and circumstances of the case and the fact that the husband of the complainant has been arrested and the dowry articles have been recovered, I think it just and proper to grant anticipatory bail to the petitioners.

Accordingly, it is directed that in the event of arrest of petitioners Ram Kumar s/o Ganesh Das, Smt. Sagar Devi w/o Ram Kumar, Gajendra Kumar s/o Raj Kumar and Smt. Kusum w/o Gajendra Kumar in FIR No.50/2007, P.S. Guda Andla, Distt. Pali, they shall be released on bail for a period till the police concludes the investigation and files the challan provided each of them furnishes a personal bond in the sum of Rs.10,000/- along with one surety of like amount each to the satisfaction of Investigating Officer to surrender and appear before the trial court on the date of filing of the challan after conclusion of the investigation on the following conditions:-

- (i) That they shall make themselves available for interrogation by a police officer as and when required;
- (ii) That they shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;
- (iii) That they shall not leave India without the previous permission of the Court.

The petitioners shall surrender before the trial court on the date of filing of the challan.

(H.R.PANWAR),J.

m.asif/-